

1 A And it worked pretty well.

2 Q Thank you. Do you -- sorry, another entity I
3 forgot to ask you. Do you have an interest in the San Mateo
4 Group?

5 A No.

6 MR. CARROCCIO: Excuse me, Counselor. You started
7 to say SMG, I believe. And you may want to draw a
8 distinction between SMG and San Mateo Group for the purpose
9 of this question.

10 MS. POWER: Okay.

11 BY MS. POWER:

12 Q Do you have an interest in SMG?

13 A SMG Corporation was a management corporation in --
14 and operated the San Mateo office until sometime in 1994 or
15 1995. I owned a 50 percent interest in that corporation.
16 That corporation was wound up. There was a new corporation
17 formed, San Mateo Group, Inc. Sometime around -- I don't
18 remember when in 1995. It could have been as early as
19 January 1; it could have been as late as December 31, 1995.
20 By the time we got into all of the bidding things that are
21 the subject of this proceeding, that was all San Mateo
22 Group, Inc. That corporation was owned by Mr. Easton or he
23 and his wife or he and his corporation. It was his.

1 Q Okay. It wasn't yours.

2 A Not mine. My only connection was I was carried on
3 the books as being enough of an employee to qualify for a
4 medical plan which I had through that through maybe mid-
5 1996. But I was never an officer. I never received a
6 salary or anything like that.

7 Q Okay.

8 MR. CARROCCIO: Excuse me. Just for a matter of
9 convenience, if we refer to SMG later in this deposition, do
10 we mean it to refer to the early SMG or to San -- is it
11 shorthand for the San Mateo Group, Inc.?

12 MS. POWER: I think I will refer to it as the San
13 Mateo Group because that's the proper nomenclature.

14 MR. CARROCCIO: Very good.

15 BY MS. POWER:

16 Q All right. Were you a bidding agent for Romulus
17 Telecommunications, Inc. in the broadband PCS C block
18 auction?

19 A I was a bidding agent for PCS 2000 in that
20 auction.

21 Q Okay. What was your role in -- as a bidding agent
22 in rounds 1 through 10 of that auction?

23 A For those rounds, Mr. Easton jointly prepared the

1 bids for each round.

2 THE COURT REPORTER: Speak up, please.

3 BY MS. POWER:

4 Q Would it be easier for you if this were closer?

5 A For the first ten rounds, Mr. Easton and I jointly
6 prepared the bids interfacing with Mr. Lamoso by telephone
7 or fax, who was in Puerto Rico.

8 Q Okay. What was the bidding strategy for round 11?

9 A The bidding strategy for round 11 was to continue
10 an East Coast presence. Our ultimate objective was the West
11 Coast. But being the fifth largest bidder in the auction,
12 we didn't want to signal that early on. So at that point,
13 we were staying East Coast. We were bidding relatively
14 late. We were bidding minimum bid increments. If you want
15 to have a bid that is a winning bid and you're making a
16 minimum bid, you would bid the minute bidding opened so if
17 there were competing bids for equal amount, the first bid in
18 the gate is the high bid.

19 Q I see.

20 A At that particular time, we didn't want to show up
21 -- we didn't want to show up as much. We wanted -- at that
22 point, we wanted to be relatively low profile. So it was
23 low bid -- or minimum bid increment, bid late, the last 15

1 minutes of the auction; not the first five minutes of the
2 auction. And that had been our strategy for the first --
3 oh, for that segment of the auction. We had a different
4 strategy before the Christmas break. But at that point,
5 that's what the strategy was.

6 Q Thank you. Would you describe for us where you
7 were during the day of January 23rd, 1996?

8 A In the morning, I was at Train Mountain which is
9 in Chiloquin, Oregon. I left Chiloquin at around 10:00 in
10 the morning. I drove down Highway 97 through Klamath Falls;
11 got to Interstate 5 at Weed; drove down Interstate 5 through
12 Redding, Red Bluff and ended up in San Mateo around 6:00
13 that evening.

14 Q Okay. What were the weather conditions that day?

15 A In Oregon, there had been a snowstorm, an ice
16 storm; very bad.

17 Q So the driving conditions were hazardous?

18 A Yes. It was 35 miles an hour until I got -- until
19 I got through the mountains just north of Redding.

20 Q And how long did the trip take you from your home
21 to the San Mateo Group in good weather?

22 A In good weather, it's a six hour drive.

23 Q And would you tell me again then how many hours it

1 took you on that day?

2 A It took eight hours.

3 Q Eight hours. Did you talk to Terry Easton that
4 day?

5 A Yes.

6 Q Would you describe those conversations to us,
7 please, as to when they were and the length of time of the
8 conversations?

9 A As I was driving down, there are periods of non-
10 cellular telephone coverage because you're going through the
11 Sisouque Mountains. At 12:32, I hit an area where we got
12 coverage for about 20 minutes. I called into my office at
13 Train Mountain at 12:32, and they had a telephone message
14 from Mr. Easton that he wanted to reach me. At 12:40 -- and
15 I'm referring to a summary of the telephone calls prepared
16 from my cellular telephone bills.

17 Q All right. That's right. I'm going to ask you
18 about that bill and another bill.

19 A Yes.

20 Q Go ahead.

21 A When I reached Mr. Easton at 12:40, he told me
22 that PCS 2000 was shown as high bidder on the Norfolk market
23 at 180 million dollars and that it should have been high

1 bidder at 18 million dollars. And we had a problem. And I
2 said, yes, it sounds like you've got a problem. Get on the
3 phone to Mike Sullivan, our FCC counsel at Wilkinson,
4 Barker, Knauer & Quinn. The first thing to do is figure out
5 how to withdraw it and you've got to figure out how to deal
6 with it. But that's a thing for the lawyers; give it to the
7 lawyers. That was a five minute call.

8 Q And I'm sorry. Did you say you called him at that
9 time, is that correct, or did he call you?

10 A My original memory of it was that he called me.
11 But when I sat down and looked at the cellular telephone
12 bills, it's clear that just looking at the bills, the first
13 activity that day on the cellular phone is I'm calling Train
14 Mountain.

15 Q Okay.

16 A Well, Train Mountain can't reach me. Easton can't
17 reach me because I've got a recording: "Sorry. The
18 subscriber is either not within the calling area or" -- you
19 know, whatever that --

20 Q Right.

21 A -- whatever message 63 is. So I routinely when I
22 hit that window of coverage, I call Train Mountain. And
23 they said Mr. Easton has called. And so -- and I realized

1 that when I saw the bills. That triggered my memory as to
2 how that works. So I called him at 12:40.

3 Q Okay. All right. Why don't we let everyone see
4 this. I'm referring -- is this the document which you are
5 using as a reference? And for the record, let's say it's
6 Cellular One bill. And it's starting at page 7, date of
7 invoice, 12 -- I mean, 2/15/96?

8 MR. CARROCCIO: Why don't we just give him a copy
9 of this document and let him utilize this document --

10 MS. POWER: Okay.

11 MR. CARROCCIO: -- for the purposes of your
12 question.

13 MS. POWER: It's also known as Easton Exhibit 2,
14 is that correct?

15 MR. CARROCCIO: I don't have anything on it. I
16 will except that your notation, ATE Number 2, may --
17 probably refers to it being Easton Exhibit Number 2. Is
18 that referring to Mr. Easton's deposition?

19 MS. POWER: Yes.

20 MR. CARROCCIO: What's that, Tuesday of this week?

21 MS. POWER: Correct.

22 MR. CARROCCIO: Okay. Are we going to give it a
23 number for this deposition?

1 MS. POWER: Right. Let's -- it's already been in.
2 We can do -- either way. We can have it as Breen Exhibit 1
3 if you like. Okay? Okay. Do you have -- no, you can --
4 that's all right. Thank you.

5 (The document referred to was
6 marked for identification as
7 Breen Exhibit Number 1.)

8 BY MS. POWER:

9 Q All right. Is this the document at -- are we
10 looking at page 8? Is that correct, at the top?

11 A I'm looking at page 8, Bates stamped 200472, yes.

12 Q All right. So we're all on the same sheet of
13 paper.

14 A Same sheet; don't know if we have the same tune.

15 Q Okay. Let's hope so. And the calls you are
16 referring to are --

17 A The first call I'm referring to is at 12:32. It
18 lasted seven minutes, from the Eureka Cell.

19 Q Okay. So that's in about three-quarters of the
20 way down the page?

21 A Yes.

22 Q All right. And what was the next call that day?

23 A The next call that day was at 12:40. It was a

1 five minute call. That's immediately below the one that you
2 just referred to.

3 Q Okay. And what was the text of that conversation,
4 to the best of your memory? And I'm sorry, if you've
5 already said it, would you just now repeat it if you don't
6 mind.

7 MR. CARROCCIO: Excuse me. There was no text
8 involved in that conversation.

9 MS. POWER: I'm sorry. The conversation. I think
10 we all know there's not a test with a -- with a telephone
11 conversation.

12 MR. CARROCCIO: Counselor, it was your
13 terminology.

14 THE WITNESS: I'm sorry. Could you restate the
15 question?

16 BY MS. POWER:

17 Q Okay. I'm sorry. There's been some confusion
18 because you were referring to your notes and I wanted
19 everyone to see the document and have that in front of them.
20 And you may have explained what that second call was at
21 12:40. But if you did, I'm asking you to repeat it if you
22 don't mind for us.

23 A All right. Why don't we move down the line. If

1 we're all looking at Eureka California Nonwire Line --

2 Q Right.

3 A -- at 12:32, I called (541) 783-2085 which is my
4 personal telephone number at Train Mountain in Chiloquin.
5 This shows that I was on for seven minutes. I had just
6 exited what I call the quiet zone, an area of no cellular
7 service. I checked in with my office, my secretary. I got
8 my messages. And among those messages was a message that
9 Mr. Easton was desperately trying to get hold of me.

10 Q Okay.

11 A So if I was on at 12:32, I was off at 12:39. At
12 12:40, I'm calling (800) 684-5544 which is an 800 number
13 that was maintained by San Mateo Group, Inc. for incoming
14 calls.

15 Q Okay.

16 A During that call, I spoke with -- well, Ronit
17 answered the phone. Whether I talked to Terry immediately
18 or they had to track him down, I don't recall. But on that
19 call, Mr. Easton told me we have a problem, 180 million
20 dollars; not 18 million dollars.

21 Q Okay.

22 A I said get on the horn to Mike Sullivan. This is
23 a lawyer problem. And then the next call -- at this point,

1 I go into the mountains again.

2 Q Okay. This is interesting. I've never been to
3 Oregon.

4 A Oh, wow, you'll have to come. It's God's country.
5 You come from --

6 MR. CARROCCIO: Excuse me for a second. There was
7 no testimony that these mountains that he got into again
8 were in Oregon. I just want the record to be -- to reflect
9 that.

10 THE WITNESS: As you're coming from Klamath Falls,
11 you go over a 5,000 foot pass which is kind of on the border
12 -- just south of the border actually. It's in California.

13 MS. POWER: Okay.

14 THE WITNESS: Then you get to kind of a plateau or
15 kind of a valley, a high mountain valley. And there,
16 there's cellular coverage. When you get beyond Weed, which
17 is the junction between US 97 and Interstate 5, you get into
18 another set of mountains right next to Mount Shasta.
19 There's no coverage there. When you come out of those
20 mountains and you get down to Redding --

21 BY MS. POWER:

22 Q California?

23 A Now you're in a flat valley and great coverage.

1 Q Okay.

2 A And great cellular market. So I'm in the clear
3 again, as it were, at 2:46. I have a 16 minute call. I'm
4 on the Redding Cell.

5 Q All right.

6 A Okay?

7 Q I can see that in the middle of the dark section
8 about --

9 A Yes, that's right.

10 Q -- halfway, two-thirds down the page?

11 A Yes. I'm calling (800) 684-5544 again. And I'm
12 pretty sure I spoke with Mr. Easton again. My recollection
13 is a lot of that was office administration stuff with Ronit
14 which was not unusual since I used my -- my rig as a mobile
15 office on those long trips. At 3:09, I have an incoming
16 call. My recollection is that that's a call from Ronit in
17 San Mateo. One of her jobs was to do a daily recording on
18 an internal voice mail system for the limited partners.
19 Normally, it was PCS 2000; who was high on bidder on so many
20 markets with so many pops with so much total bid.

21 This day, the issue was what do we put on the
22 recording. And I said, Ronit, you've got to call Mike
23 Sullivan because right now, no one knows how it happened.

1 If you don't want to have anything that's misleading, I
2 would stay with the facts: There is a bid for 180; it
3 should have been 18. But I'm not even sure of that. You
4 call Mike Sullivan and work out the draft with him and
5 that's the message you put on the machine.

6 Q Excuse me. Can I just ask you, how did you know
7 that no one knew the source of the mistake?

8 A Well, Terry said he didn't understand how it
9 happened. If he didn't know, no one else could possibly
10 know.

11 Q Okay.

12 A At 5:10 -- where is 5:10 -- oh, now I'm in the San
13 Francisco Cell. The heading is on page 7.

14 Q All right.

15 A "Made from San Francisco Nonwire Line". That's an
16 in-coming. I'm not sure what that call was. It's a one
17 minute call. It may have been from Mr. Easton about a key
18 to the office. It may have been from my office at Train
19 Mountain. I don't have a present memory about what that
20 call was.

21 Q Okay. And now is that the extent of the calls
22 that are documented on this bill?

23 A For that date.

1 Q For that date?

2 A Yes, for January 23.

3 Q Okay. I would like to show you this document and
4 ask you if you've seen that before.

5 A Oh, I saw this document when I gave it to counsel
6 a long time ago.

7 Q Okay.

8 A Since I haven't seen it for a long time and you've
9 seen it more recently, maybe you want to direct my attention
10 to some aspect of it about which you may have a question.

11 MS. POWER: Okay. Well, let's enter it into
12 evidence please as Breen Exhibit 2. Thank you.

13 (The document referred to was
14 marked for identification as
15 Breen Exhibit Number 2.)

16 BY MS. POWER:

17 Q Actually, can you tell us what the document is
18 specifically?

19 A It is a copy of the telephone bill for
20 (541) 783-2085 which is my personal line at Train Mountain.

21 Q Okay.

22 A And on that bill appear all of the long distance
23 calls for all the lines at Train Mountain with the exception

1 of that line identified as 783-3030 because this being a
2 personal line, it's a lower monthly rate --

3 Q Okay.

4 A -- than the 3030 line which is a business rate.

5 Q I see. Can you look at the document to tell us if
6 there are any calls here to the San Mateo Group or any calls
7 or conversations that pertain to the bidding error made that
8 day, January 23rd?

9 MR. CARROCCIO: Excuse me, Counsel.

10 MS. POWER: You can take whatever time you need.

11 MR. CARROCCIO: Excuse me, Counsel. But I'm going
12 to object to the form of the question. Are you asking him
13 if there are any calls at any time relating to the bidding
14 error or are you asking with regard to the 23rd of -- any
15 calls on the 23rd of January?

16 MS. POWER: I think the record will reflect that I
17 am talking about January 23rd.

18 MR. CARROCCIO: Okay.

19 THE WITNESS: Yes, I'm a little confused, too.

20 MS. POWER: Okay. That's all right.

21 THE WITNESS: I didn't learn about a bidding error
22 until I was in the car driving down.

23 BY MS. POWER:

1 Q Right, on January 23rd.

2 A That's right. So you're asking me to look at a
3 Land Line bill for what?

4 Q For January 23rd, any calls that you made on the
5 Land Line service just to see if there were any calls
6 connected with conversations you might have had on January
7 23rd that pertained to the billing error that you learned
8 about on that day.

9 A There can't have been any calls on the Land Line
10 phone because I had left the Land Line phone prior to my
11 learning about the bidding error.

12 MS. POWER: Okay. That's fine. That's all I need
13 to know.

14 THE WITNESS: Have I got that right, Counsel?

15 MR. CARROCCIO: You're the one with the knowledge.

16 THE WITNESS: All right.

17 BY MS. POWER:

18 Q At any point during that day as you were driving
19 from Oregon to San Mateo -- excuse me -- did you make any
20 telephone calls from a pay telephone? Did you stop and make
21 any calls from a pay telephone?

22 A No.

23 Q Excuse me just a second. In your conversations

1 with Mr. Easton that day, January 23rd, I would ask you if
2 you -- I know you have mentioned that you spoke the first
3 time for about five minutes. What was the tone of Mr.
4 Easton when he told you about the bid of 180 million
5 dollars? What was his demeanor?

6 A Quite agitated.

7 Q Can you call it angry?

8 A Not angry. Agitated, upset, jumpy. Somehow an
9 180 million dollar bid had gotten done on his watch.

10 Q Right. Did he focus any of that agitation on you
11 personally?

12 A No.

13 Q Could he have said something to you to the effect
14 of this is your fault; you've done this to me before?

15 A I think he said something like that later,
16 something at a later time; if you would have been here, this
17 wouldn't have happened. I don't recall it on that
18 conversation.

19 Q Do you remember -- when you say, "later", do you
20 mean later that day on the telephone?

21 A No, I'm thinking days or weeks later.

22 Q Okay. Did he give you any kind of theory or his
23 own view of how the error -- how the bid occurred for 180 --

1 the bid for 180 million dollars happened; how it occurred?

2 A On the telephone, he was of the view that it had
3 to have been an FCC mistake.

4 Q And he said that in so many words?

5 A In so many words.

6 Q Can you -- I know it's been quite a while, but can
7 you remember exactly what he did say?

8 A At this point, no.

9 Q Okay. Did he tell you that he had sent any
10 documents to the FCC during any of those conversations that
11 day?

12 A I don't have a clear recollection on that. This
13 is one of those areas where I have difficulty separating my
14 memory from all of the other input that's come in in the
15 course of this case. It's like that childhood vacation:
16 How much did you experience and how much do you know of
17 because you've been told about it. And I -- I could have,
18 but I don't have a clear memory of it.

19 Q Okay. Thank you. When did you arrive at the San
20 Mateo Group that day, what time as best you can remember?

21 A Oh, 6:00, maybe as late as 6:30 --

22 Q Okay.

23 A -- that time frame.

1 Q Did you discuss the day's events with anyone when
2 you arrived?

3 A Mr. Easton was there. And he -- I guess he met me
4 -- met me there because of the key business. And, yes, we
5 discussed the day's events and we had a bid to prepare for
6 Wednesday morning.

7 Q Okay. How long did you stay in the office that
8 night?

9 A I don't think it was more than two hours. I had a
10 tough day. And I wanted to get some sleep, but had to get
11 the bid done, particularly after the bid having gone awry --

12 Q Okay.

13 A -- that morning where one of the contributing
14 factors was clearly the tight time frame. I wanted to get
15 back to the pattern of doing the bid the day previously so
16 it could be put in the morning routinely. So that was my
17 primary mission, to get the bid done.

18 MS. POWER: Okay. Now, we've been going about an
19 hour. Would you like to take a break or do you want to keep
20 going?

21 THE WITNESS: I think I would like to smoke a
22 cigarette.

23 MS. POWER: All right.

1 (Whereupon, a brief recess was taken.)

2 BY MS. POWER:

3 Q Mr. Breen, when did you first meet Cynthia
4 Hamilton?

5 A Oh, some time in 1996 I guess, whenever she came
6 on board at San Mateo Group.

7 Q And when did she leave the San Mateo Group?

8 A She sent a fax on January 24 tendering her
9 resignation.

10 Q 1996?

11 A 1996. Then I first met her in 1995 because the
12 auction started in December of 1995.

13 Q Okay. So during the period of time when she began
14 at San Mateo Group and until she left, did you have the
15 opportunity to get to know her work?

16 A Yes.

17 Q And what did you think of her quality of her work?

18 A She was diligent, professional, competent,
19 capable, did her job, good employee.

20 Q Did you trust her work?

21 A Yes.

22 Q Was she organized?

23 A Very.

1 Q Okay. Did her work at San Mateo Group increase in
2 responsibility during the time that she was there?

3 A It seems to me that when she first came, she was
4 doing general clerical work. And when the auction started,
5 she had the skills set most appropriate to handling the
6 record-keeping for the auction. That kind of slot, I like
7 to see someone who has what I call fanatical attention to
8 detail. And she had fanatical attention to detail. And,
9 boy, that's the person that you want to put in the slot that
10 requires that skills set. So she was perfect for that job.

11 Q Did she know that you approved of her work?

12 A I think so.

13 Q Do you know if Mr. Easton held her in the same
14 regard?

15 A He joined in the decision to put her in that slot.
16 So I presume that he did.

17 Q And that would have been roughly December of '95
18 or would it have been earlier to prepare her for the
19 auctions?

20 A I don't have a present recollection of the
21 starting date of the auction. But if it was on or about the
22 18th or 20th of December -- there was an interim. I think
23 that was the year that the federal government didn't get

1 funded or something, so things were kind of suspended for a
2 while. So maybe it was a little earlier in December. But I
3 seem to recall that we had kind of a week of perhaps some
4 dry runs and stuff like that. So whenever that was was when
5 she got that assignment.

6 Q Okay. Now, let's go to the events of January
7 24th, 1996. Did -- was Cynthia Hamilton there in the
8 offices of San Mateo Group on Wednesday, January 24th?

9 A Not to my recollection.

10 Q Did Ronit Milstein explain Cynthia's absence to
11 you that day?

12 A She said that we had received a fax of her
13 resignation. She showed me the fax and she described the
14 events of the 23rd.

15 Q And what did Ms. Milstein tell you about the
16 events of the 23rd to the best of your recollection?

17 A Well, she described having discovered the bidding
18 error.

19 Q That she discovered the bidding error?

20 A She discovered the bidding error. She had looked
21 at what we call the flash report. That was a report
22 prepared -- oh, I think the computer people pulled it off
23 the Internet somehow and did kind of a quick processing.

1 So we had a fast report which is distinguished
2 from the full set of reports with complete analysis of all
3 the bidders and maps and stuff that was done after each
4 round. But that flash report came pretty fast. And she was
5 looking down the flash report and she saw 180 million
6 dollars. And that didn't make sense to her. And so she's
7 the one who alerted everyone in the office. This was her
8 account.

9 She told me that she had had a conversation with
10 Ms. Hamilton in which she had gone over with Ms. Hamilton
11 what Ms. Hamilton had done because Ms. Hamilton was
12 concerned that she was going to get blamed. And she was on
13 the machine, you know, during the bidding process and had
14 gone through Ms. Hamilton in terms of the procedures. Ms.
15 Milstein didn't chapter and verse the procedures, but she
16 said went down whatever the procedure was.

17 And I do recall Ms. Milstein saying that she had
18 told Ms. Hamilton, well, hey, it looks to me like you did
19 everything you were supposed to do and you're doing your job
20 and no one should be able to criticize you because you did
21 what you were supposed to do, you did it in the right order
22 and all that sort of thing.

23 She also reported that Ms. Hamilton was convinced

1 that the error was Terry's error. To use a term that came
2 about later, it was Terry's "fat finger", and she was afraid
3 that Terry was going to accuse her, Ms. Hamilton, of having
4 the fat finger.

5 And she also reported that Ms. Hamilton had said
6 that Mr. Easton had been in her view less than truthful in a
7 telephone conversation with someone at the Federal
8 Communication Commission when the error was being reported
9 by Mr. Easton to the Federal Communication Commission.

10 Q So Ms. Milstein was repeating Ms. Hamilton's words
11 to her about Mr. Easton?

12 A Yes.

13 Q Did you have this conversation with Ms. Milstein
14 early in the day, or what time frame?

15 A Boy, that was a busy day.

16 Q Right.

17 A Walk in the door and the first thing you've got to
18 do is get the bid off in the morning. And the bid had to be
19 in by 10:00. I think that day we got the bid in more like,
20 you know, just after 9:00, an abundance of caution and all
21 that good stuff.

22 And then there was an early call that day,
23 conference call with Mr. Easton, myself and Mike Sullivan,

1 FCC counsel; how are we going to withdraw this 180 million
2 dollar bid, what's the procedure, because we had never done
3 a withdrawal. And it's one thing to look in the book and
4 it's another to make sure particularly what you've been
5 taught, 180 million dollar bid, to do it right.

6 I would have to say that that conversation with
7 Ms. Milstein would have to -- you don't have time for chit-
8 chat until after the bid is in. And I -- boy, we were on
9 the phone with Sullivan for a long time, so -- I'm not
10 supposed to guess in a deposition, but my best estimate is
11 late morning.

12 Q Late morning, okay. Did Ms. Milstein say
13 something to the effect of -- and I'm trying paraphrase or -
14 - her words -- Terry is cooking the books, according to Ms.
15 Hamilton?

16 A I don't recall that expression.

17 Q Was there sometime of colloquial expression
18 similar to that that she used?

19 A Not one that comes to mind, but you obviously have
20 something in mind. Why don't you try something else out on
21 me.

22 Q Okay. Did she say that -- did Ronit Milstein say
23 that Cynthia had told her that Terry had sent documents to